

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 4 and 7 have been amended. No claims have been added or canceled. Claims 19-24 have been withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1, 4 and 7 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 1, 4 and 7 have been amended to provide proper antecedent basis. Accordingly, Applicants request that the claim rejections under 35 U.S.C. § 112, Second Paragraph be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 102(e)

Claims 1, 4, 7, 10, 13 and 16 were rejected as being anticipated by U.S. Patent No. 6,085,238 issued to Yuasa, et al. (hereinafter "*Yuasa*"). For at least the reasons set forth below, Applicants submit that claims 1, 4, 7, 10, 13 and 16 are not anticipated by *Yuasa*.

Claim 1 recites:

dividing target devices to which a message is targeted into subsets of target devices, wherein a subset to which a particular device belongs is determined based on an identifier of the device and a number of subsets to which the target devices are divided; and
varying a timing with which the message is communicated to the respective subsets of target devices.

Thus, Applicants claim transmitting *the same message to multiple subsets* of target devices and varying the timing with which the message is communicated to the subsets of

target devices. Claims 4, 7, 10, 13 and 16 similarly recite varying the timing with which the message is communicated to subsets of target devices.

The Final Office Action mailed April 5, 2004 states:

...Examiner asserts that Yuasa does teach varying a timing with which the message is communicated to the respective subsets of target devices [citations omitted]. The message is unicast, multicast and broadcast to group units by scheduling control with different timing based on priority.

See page 2, comment 3.

Specifically, *Yuasa* discloses:

The virtual group registration table 2 is provided for each group... [T]he priority for each virtual group and client address can be set. A virtual group control section 6 in the virtual group agent VGA allocates a band ***of each traffic type of unicast, multicast, and broadcast*** in group units in response to the virtual group priority.

See col. 17, lines 49-56 (emphasis added). Thus, *Yuasa* discloses allocating different traffic types to different groups. ***However, because the traffic types are different, the specific messages transmitted will be different.*** Therefore, *Yuasa* does not disclose varying the timing with which a single message is communicated to different groups. Therefore, Applicants submit that *Yuasa* does not anticipate the invention as claimed in claims 1, 4, 7, 10, 13 and 16.

In the Response to Arguments section of the Final Office Action mailed April 5, 2004, the Examiner has not addressed the claim limitation of varying the timing with which ***a single message*** is communicated to different groups.

CLAIM REJECTIONS - 35 U.S.C. § 103(a)

Claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17 and 18 were rejected as being unpatentable over *Yuasa* in view of U.S. Patent No. 6,396,814 issued to Iwamura, et al.

(hereinafter "*Iwamura*"). For at least the reasons set forth below, Applicants submit that claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17 and 18 are not rendered obvious by *Yuasa* and *Iwamura*.

Claims 2 and 3 depend from claim 1. Claims 5 and 6 depend from claim 4. Claims 8 and 9 depend from claim 7. Claims 11 and 12 depend from claim 10. Claims 14 and 15 depend from claim 11. Claims 17 and 18 depend from claim 16. As discussed above with respect to the independent claims, *Yuasa* fails to disclose the limitations of the independent claims. Applicants submit that whether or not *Iwamura* discloses the limitations of the dependent claims, *Iwamura* fails to cure the deficiencies of *Yuasa* set forth above.

Iwamura does not disclose estimating a number of devices coupled to the network. The Office Action cites Figures 1, 4 and 7 and associated text for the assertion that *Iwamura* does disclose estimation. However, these figures illustrate a network graph and a process by which network components can determine the network topology. See, for example, col. 13, line 54 to col. 14, line 16. *Iwamura* does not disclose *estimation* of the number of devices coupled to the network as recited in claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17 and 18. Therefore, no combination of *Yuasa* and *Iwamura* can teach or suggest the invention as claimed in claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17 and 18.

CONCLUSION

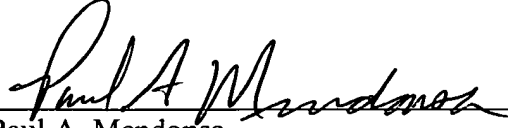
For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-18 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by

telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number
02-2666.

Respectfully submitted,
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